

International Law in News



South Sudan Conflict: African Union Approves Regional Force

<http://www.bbc.com/news/world-africa-36833875>

<http://www.bbc.com/news/world-africa-36763076>

After recent fighting between rival forces, African leaders have backed plans to deploy regional troops to South Sudan. Soldiers for the African Union (AU) force are to come from Ethiopia, Kenya, Rwanda, Sudan, and Uganda.

Clashes between troops loyal to President Salva Kiir and Vice-President Riek Machar had threatened a recent peace deal. More than 200 people are said to have died in clashes between the rival leaders' forces. The violence began with a shootout, and has since involved the use of heavy artillery, tanks, and helicopters.

Following the conflict, a 12,000-strong UN peacekeeping force is already in the country and the AU force would have a stronger mandate. South Sudan's government says it is opposed the deployment of the

force. President Kiir will be hoping that the African Union shelves its plan to deploy troops in South Sudan as it did in the case of Burundi.

"We are not ready for a deployment of even a single additional soldier," South Sudan's Information Minister, Michael Makuei Lueth, told the BBC's Focus on Africa radio programme. "That does not solve the problem."

"The UN doesn't have the mandate to impose peace," the AFP news agency quoted AU Peace and Security Commissioner Smail Chergui as saying at the AU summit in Rwanda's capital, Kigali.

"They are there where there is peace to keep. African troops are ready to engage in very difficult situations."

He explained that the mission would be similar to the

deployment of a 3,000-strong special force that took on the M23 rebels in the Democratic Republic of Congo in 2013. Over the weekend, UN chief Ban Ki-moon expressed his support for the AU deployment. But Mr Lueth blamed the recent fighting on the peace deal which, he said, was imposed on the country by regional mediators.

“As a sovereign state... this thing cannot be imposed on us without our consent,” he said, adding that it would not “serve the interests of the people of South Sudan”.

So far the continental body has only sent forces in at the request of the state in need. Theoretically it can intervene against a nation’s wishes, which is part of the remit of the new rapid-response African Standby Force.

The AU has a history of talking tough but so far has been unable to rein in problematic Afri-

can leaders. It is also struggling to fund its operations - so taking on a new intervention force, reliant on external support, will only add to its challenges.

The AU wants to model this new force on the Force Intervention Brigade sent to eastern DR Congo to battle rebel groups. That was a collaboration involving the AU, the UN and the Southern African Development Community. The force defeated the M23 rebels after some 800,000 people had fled their homes during their insurgency.

Mr Kiir’s troops make up the majority in and around the capital, Juba. So it would be a huge challenge for the AU force to attempt to call them to order, but it would provide a buffer to the outnumbered troops on Mr Machar’s side, whose whereabouts following the recent fighting remains unclear. (HUF)

Is Brexit a cautionary tale for African integration?

<https://www.washingtonpost.com/news/monkey-cage/wp/2016/07/21/is-brexit-a-cautionary-tale-for-african-integration/>

The final impact of the British people's dramatic decision to leave the world's most ambitious regional integration project has yet to unfold. But what does the Brexit mean for other regional integration efforts around the world?

In Africa, national governments as well as continental institutions like the African Union (AU) and the Pan-African Parliament will no doubt grapple with the broader political significance of the U.K. decision to exit the European Union. These two institutions in particular are at the forefront of the continent's integration initiatives. The European integration project had reached a far more advanced stage, and few direct comparisons were possible between the E.U. and AU. But to many AU watchers, the E.U. had seemed an impenetrable supranational project. Are there any lessons here for the AU and its quest for a fully united Africa?

By most accounts, the "leave" vote was won on the back of a widely held belief among Britons that the U.K. has relinquished its sovereignty to Brussels' bureaucrats. And, as successive opinion polls have

shown, they are not alone in thinking that. Across mainland Europe, ordinary people blame the E.U. for their growing difficulty making ends meet in a context of low growth and rising unemployment. Migration inflows, which they view as a threat to both their cultural and economic security, has for many become a primary target of their ire. This much Brussels knew, because for more than a decade now there has been an uptick in right-wing nationalist parties across Europe. The E.U. was not, however, prepared for its vulnerability to the backlash, and the ramifications for the expansion of the union.

The question of sovereignty also stands central to Agenda 2063, the AU's blueprint for continental integration, adopted in 2013. This framework document envisages "a sovereign, independent and self-reliant continent" where "[t]he political

unity of Africa will be the culmination of the integration process, including the free movement of people, the establishment of continental institutions, and full economic integration.”

This political unity, it acknowledges, will be a long-term endeavor requiring a major paradigm shift in the minds of Africans. According to the framework document, a core component of this shift must be that “Africa should speak with one voice and cede sovereignty in order to make progress and strengthen collective unity.” Yet, given the recent European experience, how willing are Africans to surrender their sovereignty to entities outside of the nation-state?

The results vary from region to region, but levels of ignorance about the AU, and the perceived absence of its role in the respective countries, were most evident in North and East Africa. These findings suggest that the AU’s sphere of influence remains limited, as could be expected from a relatively young supranational institution. At this stage, few Africans are likely to view the AU’s impact as a threat to their sovereignty, as their respective governments guide political and

economic processes.

But what happens in the hypothetical situation where governments may be required to cede some elements of sovereignty — as Agenda 2063 advocates — and abide by regional protocols and sanctions on issues related to governance? To gauge this response, the survey prompted respondents to indicate which of two statements is closer to their own view:

1) An integrationist stance — The first statement argued that all governments in a particular region have a duty to guarantee free elections and prevent human rights abuses in the rest of that region, and that a lack of compliance might be met with political pressure, economic sanctions and even military force.

2) Individual sovereignty — The second statement explicitly rejected regional interference and proposed that each country in the region should respect the independence of others and allow them to make their own decisions about how their country should be governed.

While arguments for pan-African unity to reverse the devastating legacy of colonialism still predominate in the hallways of the AU, the Afrobarometer find-

ings show that the majority of respondents (58 percent) favor the second statement. It is clear that national sovereignty matters to Africans, in spite of the more amplified pro-integration rhetoric from Addis Ababa, where the AU's bureaucracy resides. The AU to date has largely pursued a policy of non-interference, despite its overall goal of integrating African nations. There are, however, tentative signs that there is growing momentum for regional integration. At the AU's Johannesburg summit in 2015, discussions commenced on the creation of an African Continental Free Trade Area by 2017, and in 2016 the continental body announced its intention to pilot an

African electronic visa to promote free cross-border movement for all Africans. But details on the progress and implementation of both remain sketchy. Perhaps, therefore, the Brexit vote comes at an opportune time, as a caution to the AU and the continent's 54 sovereign states to avoid the price that the E.U. has had to pay for its apparent tone-deafness at an advanced stage of the European integration process. Whatever its approach, it will serve the AU well to sequence the integration agenda in ways that incorporate, rather than react to, the expectations and fears that Africans may have of closer continental integration. (ARD)

THE EAC AND REGIONAL INTEGRATION

[\(//www.trademarka.com/news/the-eac-and-regional-integration/\)](http://www.trademarka.com/news/the-eac-and-regional-integration/)

Regional integration is still a highly discussed topic with the Brexit vote still fresh in minds across the globe. Of course, over two months on, conversations have moved beyond shock, joy and dismay. The focus is currently on the potential effects of the decision made by the British people. On surface, it may seem as

though African nations will not be directly affected once the British Prime Minister triggers Article 50. While this article will not focus on the potential consequences, it is important to note that there will be both positive and negative aftereffects.

There are analysts, economists and policymakers sharing

their thoughts as to the impact on Africa as a region and specifically for individual countries. But what the Brexit vote should teach us is that no one can accurately make predictions about such issues. It is within this vein that the question of the East African Community (EAC) comes to the table.

Should integration in this region still be a priority? Should the pace of the integration movement be hastened or slowed down? Signs coming out of Arusha suggest that integration for the region is still on course and why shouldn't it be? The revived Community, which is a few years away from its twenty-first birthday, has moved somewhat slowly and that has worked well so far. There have been criticisms over the years that the process should move faster but to what avail? With a cumulative population of approximately 146 million it makes sense for there to be a union among the member states but there is no rush for it to be defined as desired by economists and analysts.

The Brexit vote has left questions as to the fragility of integration among countries but it would be hasty to assume that regional integration does not

work. Each region is different as should the tenets and patterns of regional agreements. The cookie cutter formulas and the set in stone timelines should be ignored and the process be allowed to continue growing in an organic though structured manner.

It is a good sign that the EAC's integration process has managed to implement three of four stages from its Development Strategy: the Customs Union, Common Market and the Monetary Union. These first three stages of the integration process lay the foundation for the fourth: the Political Federation. There is talk in some quarters that the political federation should be fast-tracked, but to what end? With two member states expecting to have national elections in 2017, waiting may not be a bad idea. Why not place the focus on delivering on the first three phases?

The decision to make Kiswahili the second official language of the East African Legislative Assembly, the current plans to phase out the dollar as the cross-border trade currency as well as working together to capitalize on the African Growth Opportunity Act (AGOA) are just a few

of the initiatives which, if harnessed, could truly change the lives of individual citizens within the EAC. While Kiswahili is spoken in all the member states it is most pervasive in Tanzania and Kenya with the other nations having a smaller portion of their population using the language. With only a segment of the bloc's population properly speaking and using Kiswahili, there is need to increase the numbers which in itself requires policy initiatives as well as strategy development and implementation.

Phasing out the dollar for cross-border trade across the EAC partner states will be a game changer for small- and medium-sized businesses. The savings gained from being able to trade in one's own currency is

expected to increase income as well as expand the trading industry in all countries involved. For this plan to work, there will need to be education campaigns as well as changes to banking laws, among other things. Again, this is an area which needs specific attention in order to facilitate successful implementation.

While different member states have different arrangements within AGOA, individual EAC partner states, and the bloc as a whole, stand to benefit. There is much work to be done with regards to regional integration for East Africa but the Community needs to continue working at its own pace. Delivering on plans which positively affect the livelihood and existence of citizens is more important than meeting timelines. (RPN)